

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

NOV 20 2000

PATENT APPLICATION

Inventor(s):

Zucherman et al.

Art Unit: 3731

SC/Serial No.:

09/473,173

Examiner: Reip, D.

Filed:

December 28, 1999

Batch No.: T14

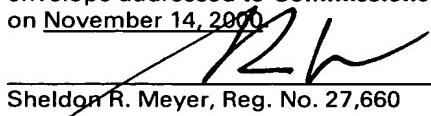
Title:

SPINE DISTRACTION IMPLANT

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, Washington, DC 20231**, on November 14, 2000.

  
(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660  
Signature Date: November 14, 2000

**TRANSMITTAL LETTER RE: ISSUE FEE TRANSMITTAL**

Commissioner for Patents  
Washington, DC 20231

Sir:

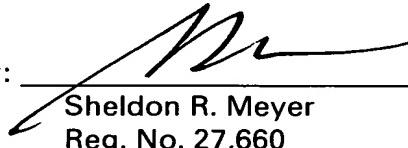
Submitted herewith is the Issue Fee Transmittal and the Issue Fee for the above case. In reviewing the file, Applicant notes that the original transmittal letter dated December 28, 1999 inadvertently listed on the bottom of page 1 the inventors as being James F. Zucherman, Ken Y Hsu, T. Wade Fallen, and Henry A. Klyce. In fact the application transmitted with the transmittal letter correctly listed the inventors as James F. Zucherman, Ken Y. Hsu, Charles J. Winslow, and Henry A. Klyce. The application transmitted with the transmittal letter was the parent application which was originally filed as U.S. Patent Application No. 09/179,570 on October 27, 1998. For this

parent application, the inventors are the same as in the present case. That is in the parent application, the inventors are James F. Zucherman, Ken Y. Hsu, Charles W. Winslow and Henry A. Klyce. The claim of priority that is listed in Applicant's Supplemental Amendment filed February 29, 2000 and as verified by the Examiner (as attached to the above-indicated Notice of Allowance) is correct.

Issuance of a patent for the above application is requested.

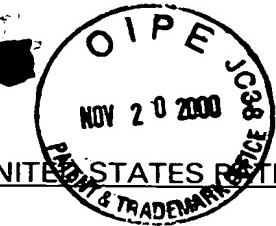
Respectfully submitted,

Date: 11/14/2000

By:   
Sheldon R. Meyer  
Reg. No. 27,660

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



#7 JAB TD

In re Application

Inventor(s): Zucherman, et al.

SC/Serial No.: 09/473,173

Filed: December 28, 1999

Title: SPINE DISTRACTION IMPLANT

) PATENT APPLICATION

)

) Art Unit: 3731

) Examiner: Reip, D.

) Batch No.: T14

) Notice of Allowance Mailing Date:

) October 2, 2000

)

) Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Official Draftsman, Commissioner for Patents, Washington, DC 20231**, on November 14, 2000.

(Attorney Signature)

Sheldon R. Meyer, Reg. No. 27,660  
Signature Date: November 14, 2000

**SUBMISSION OF FORMAL DRAWINGS TRANSMITTAL LETTER**

Official Draftsman  
Commissioner for Patents  
Washington, DC 20231

Sir:

Enclosed are 72 sheets of formal drawings for the above-identified patent application.

Subject to the Examiner's approval, please substitute the enclosed drawings for the drawings previously submitted.

Respectfully submitted,

Date: 11/14/2000

By: 

Sheldon R. Meyer  
Reg. No. 27,660

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